



# Town of Windham

Town Offices  
8 School Road  
Windham, Maine

## Meeting Minutes - Final

### Planning Board

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Monday, April 13, 2026

5:30 PM

Council Chambers

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#### Planning Board Workshop 5:30PM

#### Board Meeting Begins 6:30PM

#### Planning Board Workshop 5:30 PM

##### [PB 26-010](#)

Planning Board Annual Training Workshop: The Town Attorney will lead a workshop covering application review practices, a refresher on the Planning Board Rules, and an interactive Q&A discussion.

#### Planning Board Meeting 6:30 PM

##### 1. Call To Order – Chair’s Opening Remarks

##### 2. Roll Call and Declaration of Quorum

*Chair, Marge Govoni, called the meeting to order. Other members present were: Melissa Young, Evert Krikken, Kathleen Brown, and Rick Yost.*

*Planning Director, Steve Puleo, and Assistant Town Manager, Amanda Lessard, were also present.*

##### 3. [PB 26-013](#) Approval of Minutes - The meeting of March 23, 2026

**Attachments:** [Minutes 3-23-2026 - draft.pdf](#)

*Rick Yost made a motion to approve the minutes of the March 23, 2026 meeting.*

*Seconded by Kathleen Brown.*

*Vote: All in favor.*

#### **Public Hearings**

4. [PB 26-011](#) #26-03 Shoreland Zoning Map Amendment - Rezone Portion of 999 Roosevelt Trail from LR to GD  
The Town is proposing an amendment to the Official Windham Land Use Map of Chapter 185 Shoreland Zoning, to rezone a portion of 999 Roosevelt Trail from Limited Residential (LR) to General Development (GD) to align with the criteria for the establishment of the districts in §185-13.

**Attachments:** [26-03 PB MEMO ShorelandZoningMap 999 Roosevelt Trail 040120 26.pdf](#)  
[2021-12-16 WindhamOrdMapApproval.pdf](#)

Steve Puleo explained a portion the property was proposed to be rezoned. It was located in the North Windham growth area and contained commercial buildings that had been there since 1990. Commercial activity was not an allowed use in the Limited Residential (LR) zone. The commercial, industrial, and recreational uses would be conforming after rezoning to General Development (GD).

*Public Comment*

There was no public comment. Public comment was closed.

*Board Comment*

- Was there anything detrimental to rezoning the area which would increase watershed issues above and beyond what was currently allowed?
- The minimum lot size table was difficult to read in section 185-15.
- Why would medical marijuana change from "No" to CEO review after the rezoning?

Evert Krikken made a motion to recommend approval of the zone change request to rezone a portion of 999 Roosevelt Trail, owned by Windham Excavation Company, Tax Map: 21; Lot: 15B from Limited Residential (LR) to General Development (GD).

Seconded by Kathleen Brown.

Vote: All in favor.

## **Continuing Business**

5. [PB 26-012](#) #24-26 - Amended Monique Drive Subdivision - Amended Subdivision - Lisa, Jules & Monique Drive - Robert Cloutier  
The application amends the minor subdivision approved on February 24, 2025 to add the 50-ft Portland Natural Gas Transmission Line (PNGTL) easement to the plan and adjusts the Jules Drive access easement and turnaround easement on Lot 3. Subject properties are identified as Tax Map: 11; Lot: 49D, 49D-3, 49D-5 Zone: Village Residential (VR) in the Presumpscot River via Otter Brook watershed.

**Attachments:** [24-26 AMD SUB PB MEMO MoniqueDrive 040126.pdf](#)  
[PNGTL Easement SupportEmail 032426.pdf](#)  
[24-26 AMD SUB MoniqueDriveSub APPL 2025-03-04.pdf](#)  
[24-26 AMD SUB MoniqueDriveSub PLANS 2025-03-04.pdf](#)  
[MoniqueDriveSub Bk225Pg249.pdf](#)

Robert Cloutier was present representing his application.

Steve Puleo explained:

- The property was encumbered by a Portland Water District easement as well as the Portland Natural Gas Transmission Line Corporation (PNGTL). Easements were depicted on the amended subdivision plan.

- PNGTL had sent an email stating they had no concerns about the development of the hammerhead within a portion of their easement area.
- A road maintenance agreement had been created for the users of Lisa and Jules Drives.
- Alignment of the road right-of-way had been slightly altered so as to include the actual road.

Evert Krikken made a motion that the Amend Minor Subdivision application for project #24-26 Monique Drive Subdivision project was found complete in regard to the submission requirements based on the application checklist, but the Planning Board retained the right to request more information where review criteria were not fully addressed.

Seconded by Kathleen Brown.

Vote: All in favor.

*Board Comment*

- In previous discussion, the Board had wanted road association documents to include maintenance costs of the hammerhead to be covered by the association and not only the responsibility of the lot owner.
- On the plan, part of the structure was outside of the easement. In the future, the easement should encompass all components of the common elements.

Steve Puleo stated the hammerhead, and all access in the right-of-way of Jules Drive was included in the road owners' association. It was clear that the easement had PNGTL as the obligee to return the hammerhead to its current condition.

Evert Krikken made a motion that the Amended Minor Subdivision application for project #24-26 Monique Drive Subdivision project identified on Tax Map: 11; Lot: 49D, 49D-4, 49D-5; Zone: Village Residential (VR) and located in the Presumpscot River via Otter Brook watershed is to be approved with conditions with the following Findings of Fact, Conclusions, and Conditions of Approval.

**FINDINGS OF FACT**

*Jurisdiction:* The Monique Drive Subdivision project is classified as a Minor Subdivision, which the Planning Board is authorized to review and act on by §120-905A(1) of the Town of Windham Land Use Ordinance.

*Title, Right, or Interest:* The applicant has submitted a copy of the Warranty Deed from George L. Chamard and Jennifer Chamard to Robert R. Cloutier and Monique A. Cloutier dated October 25, 1999, and recorded on October 26, 1999, at the Cumberland County Registry of Deeds in Book 15127 and Page 250 (Lot 2). A copy of a Warranty Deed between Lisa Cloutier and Laurea Torrey Everett and Travis Joel dated July 17, 2018 and recorded on July 31, 2018, at the Cumberland County Registry of Deeds in Book 35031 and Page 198 (Lot 1). The applicant also has submitted a copy of a Warranty Deed (Corrective) between Robert R. Cloutier and Cathleen Manchester and Ruth Summers, dated April 4, 2022 and recorded on June 1, 2022, at the Cumberland County Registry of Deeds in Book 39463 and Page 84 (Lot 3)

**ARTICLE 4 ZONING DISTRICTS**

- As shown on the Town of Windham Land Use Map approved by the Town Council, date April 9, 2024, Tax Map: 11; Lot: 49D, 49D-4, 49D-5.
- The property is located in Village Residential (VR) zoning district.

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§120-911 - SUBDIVISION PERFORMANCE STANDARDS

§120-911A – Basic Subdivision layout

- (1) The property has a total size of 32.83 acres (1,430,237 SF).
- (a) The calculations of density have not been provided.
- (2) The applicant identified where the existing utilities are located see sheet 3 of 5.

§120-911B – Sufficient water; water supply.

- (3) The applicant has not shown the private drinking well locations on the subdivision recording plan.
  - Per §120-911B(3)(a)(3), “[W]ells shall not be constructed within 100 feet of the traveled way of any street if located downhill from the street, or within 50 feet of the traveled way of any street if located uphill of the street. This restriction shall be included as a deed restriction to the affected lots.”

§120-911C - Erosion Control and sedimentation control

- The applicant is not proposing any site work or preparation. The future property owners or builders will be required to receive a Soil and Erosion Control permit at the time of applying for a building permit.

§120-911D – Sewage disposal

- (2) The proposed lots will be serviced by a subsurface sewage disposal system and test pits have been provided to identify areas of acceptable soils on the lots for individual systems.

§120-911E – Impact Natural Beauty, Aesthetics, Historic Sites, Wildlife Habit, Rare Natural Areas, or Public Access to the Shoreline

- (1) The three (3) existing lots will consist of the eventual construction of one (1) single family homes.

§120-911F – Conformance with Land Use Ordinances

Comprehensive Plan:

- The plan does meet the goals of the 2017 Comprehensive Plan.

Subdivision Ordinance:

- Standard notes, the standard conditions of approval, and approved waivers are shown on the plans.
- The applicant has not provided a digital transfer of the subdivision plan data must be submitted for inclusion with the Town’s GIS.
- In accordance with §120-913B(3), the amended plan clearly indicate it is a revision of the previously approved and recorded plan.

§120-911G – Financial and Technical Capacity

- (1) The applicant has estimated the cost of development between \$10,000 and \$15,000 and has provided a Business Access Line of Credit statement from M&T Bank April 7, 2024, with available credit of \$800,000.
- (2) The applicant has provided technical capacity with development experience as custom house builder in Windham and other communities in southern Maine. The applicant’s project team is comprised of Sebago Technics, a multi-disciplinary engineering firm with 40 years of experience. They offer a wide range of services, including land development design, landscape architecture, planning, engineering, permitting, land surveying, traffic analysis, environmental consulting, construction management, and soil science.

§120-911H – *Impact on Ground Water Quality or Quantity*

(2) *The applicant does not anticipate the development will result in contamination of groundwater table from three additional single-family homes.*

§120-911I – *Floodplain Management*

- *The plan shall meet the requirements of Chapter 82, Floodplain Management.*

§120-911J – *Stormwater*

- *The applicant is not proposing any site work or preparation. The future property owners or builders will be required to receive a Soil and Erosion Control permit from the Code Department and will address the stormwater needs at the time of applying for a building permit.*
- *MeDEP does not require the construction of a single-family home to apply for a Stormwater Management permit.*

§120-911M – *Traffic Conditions and Street*

- *The applicant is requesting a waiver for §120-911-M(5)(a)[1]: Street Design and Construction Standards for Minor Private Street.*
- *The applicant stated that traffic increase for the after-the-fact subdivision request will be minor and will not adversely impacts the private streets.*

*Access to Lot 3, identified as Lot 49 D-5 on Tax Map 11, will be provided through Lisa Drive and Jules Drive by easements retained on Lot 49 B and Lot 49 D as depicted on the enclosed Plan of a private streets. Lisa and Jules Drives are paved streets exceeding the minor private street requirement of gravel. The travel way varies in width from approximately 17 feet to 20 feet.*

- *An easement is proposed on Lot 3 as the existing road encroaches on the property and for the construction of a hammerhead turnaround to meet local access and frontage requirements.*
- *Lots 1 and 2 exist via the Monique Drive right of way and an access easement extending from the southwesterly side of Monique Drive ROW and the fee of the ROW is retained across the applicant's land as shown on the Minor Subdivision Plan in order to avoid impacts to natural resources. Monique Drive is an existing gravel road with a paved entrance apron that is approximately 18 feet in width or greater.*
- *The amended subdivision plan shows the 50-ft Portland Natural Gas Transmission Line (PNGTL) easement on the plan and adjusts the Jules Drive access easement and turnaround easement on Lot 3.*

§120-911N – *Maintenance of common elements.*

- *The applicant's request for "After-the-Fact" minor subdivision approval does not include the construction of a street for road frontage, or a stormwater management system, which require the formation of a Homeowners Association.*
- *The applicant has provided an existing Road Maintenance Agreement for Lot 3 to access and contribute to the maintenance of Lisa and Jules Drives as recorded in Cumberland County Registry of Deeds Book 21296, Page 175.*
- *Lots 1 and 2 are legal lots of records that are accessed by Moniques Drive and were permitted Code Enforcement Department. The applicant provided a Road Maintenance Agreement for Moniques Drive, which is recorded in Cumberland County Registry of Deeds Book 27596, Page 91.*
- *The applicant has provided a draft Boundary Line Agreement & Maintenance Agreement that proposes cost sharing responsibilities for all users of the road.*

CONCLUSIONS

1. *The development plan reflects the natural capacities of the site to support development.*

2. *Buildings, lots, and support facilities will be clustered in those portions of the site that have the most suitable conditions for development.*
3. *Environmentally sensitive areas, including but not limited to wetlands; steep slopes; flood plains; significant wildlife habitats, fisheries, and scenic areas; habitat for rare and endangered plants and animals; unique natural communities and natural areas; and sand and gravel aquifers will be maintained and protected to the maximum extent.*
4. *The proposed subdivision has sufficient water available for the reasonably foreseeable needs of the site plan.*
5. *The proposed subdivision will not cause unreasonable soil erosion or a reduction in the land's capacity to hold water so that a dangerous or unhealthy condition results.*
6. *The proposed use and layout will not be of such a nature that it will make vehicular or pedestrian traffic no more hazardous than is normal for the area involved.*
7. *The proposed subdivision will provide adequate sewage waste disposal.*
8. *The proposed subdivision conforms to a duly adopted subdivision regulation or ordinance, comprehensive plan, development plan, or land use plan.*
9. *The developer has the adequate financial capacity to meet the standards of this section.*
10. *The proposed subdivision will not alone or in conjunction with existing activities, adversely affect the quality or quantity of groundwater.*
11. *The proposed location and height of buildings or structure walls and fences, parking, loading, and landscaping shall be such that it will not interfere or discourage the appropriate development in the use of land adjacent to the proposed site or unreasonable affect its value.*
12. *On-site landscaping does provide adequate protection to neighboring properties from detrimental features of the development that could be avoided by adequate landscaping.*
13. *All freshwater wetlands within the proposed subdivision have been identified on the plan.*
14. *Any river, stream, or brook within or abutting the subdivision has been identified on any maps submitted as part of the application.*
15. *The proposed subdivision will provide for adequate stormwater management.*
16. *If any lots in the proposed subdivision have shore frontage on a river, stream, brook, or great pond as these features are defined in Title 38, §480-B, none of the lots created within the subdivision has/does not have a lot-depth to shore frontage ratio greater than 5 to 1.*
17. *The long-term cumulative effects of the proposed subdivision will not unreasonably increase a great pond's phosphorus concentration during the construction phase and life of the proposed subdivision.*
18. *For any proposed subdivision that crosses municipal boundaries, the proposed subdivision will/will not cause unreasonable traffic congestion or unsafe conditions with respect to the use of existing public ways in an adjoining municipality in which part of the subdivision is located.*
19. *The timber on the parcel being subdivided has not been harvested in violation of rules adopted pursuant to Title 12, §8869, sub§14.*

#### CONDITIONS OF APPROVAL

1. *Approval is dependent upon and limited to the proposals and plans contained in the application dated September 3, 2024, December 23, 2025, February 18, 2025, as amended April 13, 2026 and supporting documents and oral representations submitted and affirmed by the applicant, and conditions, if any, imposed by the Planning Board. Any variation from such plans, proposals, supporting documents, and representations is subject to review and approval by the Planning Board or the Town Planner in accordance with §120-912 of the Land Use Ordinance.*
2. *In accordance with §120-914B(5) of the Land Use Ordinance, the Construction of improvements covered by any subdivision plan approval shall be completed within two*

years of the date upon which the performance guarantee is accepted by the Town Manager. The developer may request a one-year extension of the construction completion deadline prior to the expiration of the period. Such request shall be in writing and shall be made to the Planner. The Town Manager may require an update to the schedule of values and the amount of the guarantee when accepting an extension of the construction period. If construction has not been completed within the specified period, the Town shall, at the Town Manger's discretion, use the performance guarantee to either reclaim and stabilize or to complete the improvements as shown on the approved plan.

3. Prior to issuance of a building permit on, the Recreation Impact Fee, Open Space Impact Fee, Public Safety Impact Fee; and Municipal Office Impact Fee. All fees will be determined and collected for any building, or any other permits necessary for the development of Lot 3 (Tax Map:11 Lot: 49-D05), §120-1201C.

4. Prior to issuance of a building permit on Lot 3 (Tax Map:11 Lot: 49-D05), the applicant shall provide to the Planning Director a recorded Access Easement Exhibit A "Right of Way" pullout location on Lot 3.

5. Prior to any land use activity, such as the construction of the turnaround are on Lot 3, the applicant shall provide to the Planning Director and review and approved by the Town Attorney, at the applicant's expense and recorded in the Cumberland County Registry of Deeds, a Road Maintenance Association for Lisa Drive and Jules Drive.

6. Prior to issuance of a building permit on, the Recreation Impact Fee, Open Space Impact Fee, Public Safety Impact Fee; and Municipal Office Impact Fee. All fees will be determined and

Seconded by Melissa Young.

Vote: All in favor.

6. [PB 26-005](#) #25-16 Meredith Woods Subdivision - Major Subdivision - Final Plan Review - Monty Way - Meredith Way, LLC
- The application is to develop a 5-lot conservation subdivision with a paved minor private road 810 feet in length. Lots will range in size from 30,047 SF to 32,227 SF, with the remaining 19.62 acres as open space. Lots will be served by private subsurface wastewater disposal systems, public water and underground utilities. Subject property is identified as Tax Map: 6; Lot: 38-E02; Zone: Farm (F) and Stream Protection (SP) in the Black Brook watershed.

**Attachments:** [25-16 MeredithWoods PB MEMO MJR SUB FP 040926.pdf](#)  
[25-16 MJR SUB FP PLANS \(REV\) Meredith Woods 04022026.pdf](#)  
[MontyWay Photos 030426.pdf](#)  
[25-16 MJR SUB FP PLANS \(REV\) Meredith Woods 02252026.pdf](#)  
[527084 - Monty Way WI - Ability to Serve.pdf](#)  
[25-16 MJR SUB PP&FP Response Meredith Woods 10192025.pdf](#)  
[25-16 MJR SUB PP&FP APPL Meredith Woods 10062025.pdf](#)  
[25-16 MJR SUB PP&FP PLANS Meredith Woods 10062025.pdf](#)

Lori Batchelder was present representing her application.

Amanda Lesard explained:

- Preliminary approval had been granted in November.

- *The Ability to Serve letter was received in February.*
- *The existing conditions plan had been updated to encompass some tree clearing and the water system, which had been altered from the November plan.*
  - o *The hydrant at the end of Monty Way was eliminated based on Portland Water District input.*
  - o *Public drinking water would be available.*
  - o *Houses would be sprinkled. The Fire Chief was in agreement with that provision.*
- *Additional street trees were proposed within the road right-of-way.*

*Evert Krikken made a motion that the Major Subdivision final plan application for project #25-16 Meredith Woods Subdivision project was found complete in regard to the submission requirements based on the application checklist, but the Planning Board retained the right to request more information where review criteria were not fully addressed.*

*Seconded by Kathleen Brown.*

*Vote: All in favor.*

*Board Comment*

- *The new street trees being installed along the property line were not defined in terms of type or size of tree.*
- *Was there agreement from the owners of the properties where the trees were cut that the new trees were sufficient replacement for the trees that were cut. Was there a requirement to notify those owners? How was the number of replacement trees determined?*

*Evert Krikken made a motion that the Major Subdivision final application for project #25-16 Meredith Woods Subdivision development identified on Tax Map: 6; Lot: 38-E02; Zone: Farm (F) and Stream Protection (SP) in the Black Brook watershed is to be approved with conditions with the following Findings of Fact, Conclusions, and Conditions of Approval.*

*FINDINGS OF FACT*

*Jurisdiction: The Meredith Woods Subdivision project is classified as a Major Subdivision, which the Planning Board is authorized to review and act on by §120-903 of the Town of Windham Land Use Ordinance.*

*Title, Right, or Interest: The applicant has submitted a copy of a Warranty Deed between Darryl Jon Hawkes and Meredith Way, LLC dated February 28, 2025, and recorded on March 3, 2025, at the Cumberland County Registry of Deeds in Book 41309 and Page 342.*

*ARTICLE 4 ZONING DISTRICTS*

- *As shown on the Town of Windham Land Use Map approved by the Town Council, date April 9, 2024, Tax Map: 6; Lot: 38-E02; is located in Farm (F) zoning district and Stream Protection (SP) shoreland zoning district governed by the provisions of Chapter 185, Shoreland Zoning.*
- *The applicant's sketch plan shows a 5-lot subdivision with lots ranging in size from 30,047 SF to 32,227 SF, exceeding the minimum lot size for conservation subdivisions lots connected to public water in the Farm (F) zoning district, per §120-406E(1)(b).*

*ARTICLE 5 PERFORMANCE STANDARDS*

§120-511 – Buffer yards

C(3)(f) *Buffers along streets. Farm and Farm Residential Districts: agriculture and forestry uses and lots created as part of a residential subdivision approved after July 9, 2020 are not subject to this standard.*

§120-541 – Net residential area of acreage

• B. *The net residential area or acreage of a lot proposed for subdivision, as defined, shall be calculated by subtracting the eight (8) items listed in the subsection from the gross acreage of a lot and dividing the resulting net residential area of the parcel by the net residential density standard of the appropriate zoning district (see Article 4, Zoning Districts).*

§120-911 - SUBDIVISION PERFORMANCE STANDARDS

§120-911A – Basic Subdivision layout

- (1) *The property has 23.64 acres (Lot 2) or 1,029,952 SF and 31,434 (R/W) exceeding the minimum lot size in the Farm (F) zoning district, per §120-406E(1).*
  - (a) *The applicant provided a net residential density calculation by deducting 51,046 SF of road R/W, 67,649 SF of steep slopes, 40,146 SF within the 100-year floodplain and 131,120 SF of wetlands for the net area of 771,415 SF. The net residential density is 60,000 SF, equaling 12.9 dwelling units.*
  - (b) *The five (5) proposed single-family lots side lot lines are perpendicular to the proposed roadway.*
  - (e) *The E-911 Addressing Officer has assigned lot numbers and a street name, Monty Way, which are shown on the plan.*
- (2) *The plans show where the proposed utilities will be located and shall be installed underground.*
- (3) *The plans show the location of the proposed subdivision monuments.*

§120-911B – Sufficient water; water supply.

- (1) *The applicants have shown connection with the public water system on the provided subdivision plan, from the end of the water main in Meredith Drive, extending the main to serve the lots on Monty Way. A new fire hydrant is proposed to be installed at the end of Monty Way, which is less than 1,000 feet from all homes in the subdivision. At the Development Review Team meeting, the Fire Chief requested a hydrant located at Lot 1 or 5.*
  - *The applicant provided an “Ability to Serve” letter from the Portland Water District dated February 10, 2026 approving the water system to serve the development. The approved water system is a 4” water main extension that is not sufficient to support a new hydrant installation at the end of Monty Way. §120-911M(5)(b)[5][a][ii] requires that dead-end streets not supplied with fire hydrants served by PWD shall require all dwellings to have a sprinkler system. The Fire Department accepts that in lieu of a hydrant that a residential sprinkler system be installed in each new home in the subdivision. A note is included on the final plan that all dwellings in the subdivision shall have a sprinkler system.*

§120-911C - Erosion Control and sedimentation control

- *The applicant provided a report of the wetlands depicted on the Meredith Woods Subdivision dated July 22, 2025 prepared by licensed site evaluator and geologist Mark Censi with a finding that the wetland locations and totals from that plan are accurate and unchanged. No wetlands are proposed to be altered for the development.*
- (1) *The applicant has provided a soil erosion and sediment control plan showing the use of erosion and sediment control best management practices (BMPs) at the construction*

site consistent with the minimum standards outlined in the Maine DEP Stormwater Rule Chapter 500 Appendix A – Erosion and Sediment Control, Appendix B – Inspections and Maintenance, Appendix C – Housekeeping. Erosion and Sedimentation Control. BMPs shall be designed, installed, and maintained in accordance with the standards contained in the latest revisions of the following Maine DEP documents.

(2) The plan was developed by Maine licensed professional civil engineer stating that the plan will prevent soil erosion and sedimentation from entering water bodies, wetlands, and adjacent properties.

(3) The applicant or developer shall consider the topsoil as part of the subdivision is not to be removed from the site.

(4) Except for normal thinning and landscaping, existing vegetation shall be left intact to prevent soil erosion.

#### §120-911D – Sewage disposal

(2) The applicant provided a preliminary soils and wastewater disposal investigation dated July 21, 2025 prepared by licensed site evaluator Mark Censi with a finding that a suitable site for first-time single-family home wastewater disposal was found and located on each of the five lots. Test pit locations are shown on the plan.

#### §120-911E – Impact Natural Beauty, Aesthetics, Historic Sites, Wildlife Habit, Rare Natural Areas, or Public Access to the Shoreline

(1) The applicant is developing access from Meredith Drive. Excepting for the development of the road R/W, the development is over 600 feet from existing development,

preserving the natural beauty and aesthetics of the Mystic Woods Subdivision open space.

(a) The preliminary plan includes a note prohibiting the clearing of trees where tree cover is depicted on the plan for at least five years. Mandatory buffer for stormwater or other reasons shown on the plan shall not be cleared of vegetation unless the Planning Board grants an amendment to the subdivision or maintenance that does not alter the purpose for which the buffer was required.

(b) The applicant must provide a landscape plan including a list of proposed plant species and their size at the time of installation and maturity, including the street tree plantings no more than 50 feet apart. The Plan and Profile Monty Way Sheet 3 revised August 31, 2025 shows a row of arborvitae along Monty Way adjacent to the two existing lots on Meredith Drive, 2 street trees on each new lot, and comments that if available trees are located in the correct position and grade in the ROW through the Mystic Woods subdivision, the Owner would like to keep them, but these would be a rare circumstance. The applicant provided a revised plan on April 2, 2026 that revised the existing tree line and proposed additional street trees in the Monty Way right of way.

(2) The final plan identifies areas of open space and the condominium association documents identifies that the association is responsible for the common areas that includes the open space.

#### §120-911F – Conformance with Land Use Ordinances

##### Comprehensive Plan:

- The plan does meet the goals of the 2017 Comprehensive Plan.

##### Land Use Ordinance, Chapter 120:

- There is a net residential density in the Farm zoning district of 60,000 SF.

##### Subdivision Ordinance, Chapter 120 Article 9:

- Standard notes, the standard conditions of approval, and approved waivers must be shown on the plans.
- Per §120-913B(3)(d) the plan includes a note that it is the revision of a previously approved and recorded plan and shall show the title of the subdivision and the book and

page or cabinet and sheet on which the original plan is recorded at the Registry of Deeds.

- A digital transfer of the subdivision plan data was submitted for inclusion with the Town's GIS.

Growth Management, Chapter 101:

- Growth permits are required for the creation of each new single-family dwelling. Growth permits for dwelling units to be located in a proposed subdivision, may be applied for after the project receives preliminary subdivision approval from the Planning Board pursuant to Article 9 of Chapter 120, Land Use.

#### §120-911G – Financial and Technical Capacity

(1) The applicant provided a cost estimate for the construction of the subdivision infrastructure and a letter from Camden Savings Bank has a deposit relationship with the applicant, but it does not constitute a commitment to finance the development.

(1) The applicant has provided evidence of technical capacity. The applicants have contracted SJR Engineering, Inc. to manage the permitting and design of the development.

#### §120-911H – Impact on Ground Water Quality or Quantity

(1) The lots in the subdivision will have individual private septic systems designed to comply with the Maine subsurface wastewater disposal rules and shall not increase any contaminant concentration in the groundwater and shall meet the State's drinking water standards.

(2) The subdivision is proposed to be served by public water and shall not result in water table drawdowns beyond the subdivision boundaries.

#### §120-911I – Floodplain Management

- The subject property is within a mapped FEMA Floodplain boundary. The mapped floodplain is located adjacent to Black Brook and is in the designated open space. No development is proposed within the floodplain.

#### §120-911J – Stormwater

(1) Stormwater management for subdivisions shall incorporate appropriate treatment measures for water quantity and quality to meet the requirements specified below for development of the lots as well as the infrastructure to support the project. Each application shall include, for each lot, maximum developed area, disturbed area, and impervious area, as those terms are defined in DEP Chapter 500, Stormwater Management.

o The Stormwater Management Plan included with the preliminary plan submission proposes to manage stormwater runoff from the road through the open space via level lip berms and within the road R/W to a soil filter on Lot 5. The soil filter basins will return stormwater runoff to pre-development levels while also treating water quality. Buildings will have roofline drip edges. The plan also included a stormwater maintenance and inspection plan.

- The development will require a Permit-by-Rule (PBR) issued under Chapter 500 of the Stormwater Management Law and a Maine Construction General Permit (MCGP) from Maine DEP.

• The Town has delegated DEP Stormwater Capacity. A Stormwater Permit by Rule application was reviewed by Gorrill-Palmer on November 7, 2025 and found to meet the standards of MaineDEP's Chapter 500. A note shall be added to the final plan that approval is subject to the Stormwater PBR.

• The responsibility of maintaining the stormwater management system will be assigned to the future Homeowner's Association, as per §120-911N.

• The Town Engineer reviewed the preliminary and final plan submission and the applicant's October 19, 2025 response and provided the following comments:

- o A table on the Subdivision Plan listing the developed and impervious areas on each lot and the response from the applicant clarifies the Stormwater Quantity/Quality treatment on the 75/50% linear portion of the project vs. 95/80% treatment on the rest of the project.
- o The response includes an updated HydroCAD analysis that shows that the post-construction stormwater peaks flows are less than preconstruction stormwater flows at all Design Points except for the 2-yr storm at Design Point for the 2-yr storm, but considering the flow is only 0.08 CFS (4%) higher than predevelopment, and it flows into a wetland, I consider this de-minimis.
- o Sheet 3 and the proposed Condition Watershed Plan (WS-2) have notes indicating "100' flow path Forested Buffer", but the plans don't clearly outline the buffer area that needs to be preserved as Forested Buffer. the plan submitted as part of the response package still doesn't define the required buffer dimensions on the plan to meet the Ch. 500 Buffer BMP requirements. I agree that in practical terms the forested area acts as a buffer that will adequately treat stormwater dispersed by the level spreaders, but in order to meet the Maine DEP Ch. 500 Buffer BMP requirements, the area must be deed restricted to be dedicated to stormwater treatment. I see that you have submitted a waiver request from the Ch. 500 General Standards for treatment referenced in Town Ordinance 120-911J(4). I support this waiver request since the stormwater flow from along the majority road will be attenuated by level spreaders and discharged to a wooded area that is not currently or in the foreseeable future able to be developed.
- On November 24, 2025 the Board granted a waiver from §120-911J(4) Stormwater Management DEP Chapter 500 General Standards, for the stormwater treatment of a portion of development of the road through the Mystic Woods Subdivision. In accordance with § 120-909C(2)(c) the final plan, to be recorded at the Registry of Deeds, shall indicate the waivers granted.

#### §120-911K – Conservation Subdivision

- (1) The applicant is proposing to develop the conservation subdivision to set aside a significant portion of the site as open space by grouping the dwelling units closer with access to a minor private road with 50-foot rights-of-way (ROW). The applicant is proposing to reduce the lot size to approximately +30,000 SF with 100-feet of street frontage (50 feet on the cul-de-sac).
- Per §120-911K(3)(a)[2], the applicant has provided the site analysis plan as a base for an existing resource inventory of the primary conservation resource element on the site. The sketch plan shows the primary conservation resource as the wetlands, and floodplain and steep slopes and wetland adjacent to Black Brook. The applicant has preserved the highest-value natural resource.
  - No secondary conservation resource are shown on the site analysis plan, per §120-911K(6)(c)[2].
  - The plan shows 100-foot building setbacks from primary conservation areas and 50 -feet from secondary conservation areas, per §120-911K(3)(c).
  - The applicant is providing 854,998 SF, of total open space on the 25.45-acre site.
  - The applicant proposes to most of the reserved open space adjacent to Black Brook (734,575 SF), per §120-911K(3)(d).
  - The applicant is also providing a smaller open space area (120,423 SF) that includes wetlands adjacent to the Mystic Woods opens space. The size of this area exceeds 10,000 square feet in area per §120-911K(3)(b)[4].
  - Per §120-911K(3)(c)[3] the 50 foot buffer from the external perimeter of the property line is not part of the open space as the area is not a primary or secondary conservation area delineated in accordance with §120-911K(3)(a). A notes is on the plan requiring that the buffers shall be permanently marked prior to the start of construction. The applicant should also provide a draft of deed restrictions for buffer areas. See Condition of Approval #5.

- *The use of the open space shall not be for commercial or private clubs, but to be used by the homeowner's association.*
- *For the final plan review, a trail system to be created within the open space shall be shown on the plan, per §120-911K(3)(e).*

#### *§120-911L – Compliance with Timber Harvesting Rules*

- *The applicant stated the subdivision will not involve timber harvesting activity.*

#### *§120-911M – Traffic Conditions and Street*

- *The Applicant submitted a traffic assessment that indicates that the subdivision will generate 5 trips in the PM peak hour and 50 trips during a typical weekday. Since the expected traffic does not exceed 140 trips per day, a traffic impact analysis per § 120-910C(3)(e) is not required.*
- *In accordance with § 120-911M(5)(b)[7], subdivisions with 31 or more units shall have a minimum of 2 connections of the subdivision street with an existing public street. The applicant proposes 5 units, which in addition to the Lampron Subdivision (2) and Mystic Woods Subdivision (23), totals 30 units and does not require an additional connection to an existing public street.*
- *The applicant is proposing to exceed the Town's "Minor Private Road" standards found in Appendix B.*
  - o *The proposed plan is to build a 810-foot private road with a 50-foot-wide R/W and cul-de-sac at the end. The private road note of §120-911M(5)(a)[5][e] is shown on the plan.*
  - o *The town's road standards call for a 9-foot-wide gravel road with 2-foot graveled shoulders on each side of it. The applicant also proposes the addition of a hot bituminous pavement surface.*
  - o *The applicant will be required to obtain a street opening permit from the Department of Public Works. Meredith Drive was paved in November 2022 and is under moratorium and will require additional restoration for street openings.*
  - o *The homeowner's association will maintain the R/W road once the subdivision is completed.*
- *The sketch plan shows a right-of-way easement equal to the abutting property to provide continuation of the road where future development is possible, per §120-911M(5)(b)[5][c].*
- *At the Development Review Team meeting, staff discussed the condition of Barnes Road and that the schedule for the Town to overlay the roadway may be delayed until this development is completed. The developers of the Mystic Woods Subdivision and Valley View Subdivision (Twoey Drive) provided cash contributions to the Town in 2017 towards the cost to overlay Barnes Road. At the July 14, 2024 Planning Board meeting the Board did not find that this development requires any offsite improvements to Barnes Road.*

#### *§120-911N – Maintenance of common elements.*

- *The applicant provided draft homeowners association declaration of covenants, bylaws, and articles of incorporation of the Monty Way Association that have been reviewed and revised by the Town Attorney.*

#### **CONCLUSIONS**

1. *The development plan reflects the natural capacities of the site to support development.*
2. *Buildings, lots, and support facilities will be clustered in those portions of the site that have the most suitable conditions for development.*
3. *Environmentally sensitive areas, including but not limited to wetlands; steep slopes; flood plains; significant wildlife habitats, fisheries, and scenic areas; habitat for rare and endangered plants and animals; unique natural communities and natural areas; and sand*

- and gravel aquifers will be maintained and protected to the maximum extent.*
- 4. The proposed subdivision has sufficient water available for the reasonably foreseeable needs of the site plan.*
  - 5. The proposed subdivision will not cause unreasonable soil erosion or a reduction in the land's capacity to hold water so that a dangerous or unhealthy condition results.*
  - 6. The proposed use and layout will not be of such a nature that it will make vehicular or pedestrian traffic no more hazardous than is normal for the area involved.*
  - 7. The proposed subdivision will provide adequate sewage waste disposal.*
  - 8. The proposed subdivision conforms to a duly adopted subdivision regulation or ordinance, comprehensive plan, development plan, or land use plan.*
  - 9. The developer has the adequate financial capacity to meet the standards of this section.*
  - 10. The proposed subdivision will not alone or in conjunction with existing activities, adversely affect the quality or quantity of groundwater.*
  - 11. The proposed subdivision will/will not provide for adequate stormwater management.*
  - 12. The proposed location and height of buildings or structure walls and fences, parking, loading, and landscaping shall be such that it will not interfere or discourage the appropriate development in the use of land adjacent to the proposed site or unreasonable affect its value.*
  - 13. On-site landscaping does provide adequate protection to neighboring properties from detrimental features of the development that could be avoided by adequate landscaping.*
  - 14. All freshwater wetlands within the proposed subdivision have been identified on the plan.*
  - 15. Any river, stream, or brook within or abutting the subdivision has been identified on any maps submitted as part of the application.*
  - 16. If any lots in the proposed subdivision have shore frontage on a river, stream, brook, or great pond as these features are defined in Title 38, §480-B, none of the lots created within the subdivision does not have a lot-depth to shore frontage ratio greater than 5 to 1.*
  - 17. NOT APPLICABLE: The long-term cumulative effects of the proposed subdivision will not unreasonably increase a great pond's phosphorus concentration during the construction phase and life of the proposed subdivision.*
  - 18. NOT APPLICABLE: For any proposed subdivision that crosses municipal boundaries, the proposed subdivision will not cause unreasonable traffic congestion or unsafe conditions with respect to the use of existing public ways in an adjoining municipality in which part of the subdivision is located.*
  - 19. NOT APPLICABLE: The timber on the parcel being subdivided has not been harvested in violation of rules adopted pursuant to Title 12, §8869, sub§14.*

#### CONDITIONS OF APPROVAL

- 1. Approval is dependent upon and limited to the proposals and plans contained in the application dated June 23, 2025 as amended [the date of the final plan approval] and supporting documents and oral representations submitted and affirmed by the applicant, and conditions, if any, imposed by the Planning Board. Any variation from such plans, proposals, supporting documents, and representations is subject to review and approval by the Planning Board or the Town Planner in accordance with §120-912 of the Land Use Ordinance.*
- 2. In accordance with §120-914B(5) of the Land Use Ordinance, the Construction of improvements covered by any subdivision plan approval shall be completed within two years of the date upon which the performance guarantee is accepted by the Town Manager. The developer may request a one-year extension of the construction completion deadline prior to the expiration of the period. Such request shall be in writing and shall be made to the Planner. The Town Manager may require an update to the schedule of values and the amount of the guarantee when accepting an extension of the construction period.*

*If construction has not been completed within the specified period, the Town shall, at the Town Manger's discretion, use the performance guarantee to either reclaim and stabilize or to complete the improvements as shown on the approved plan.*

3. *In accordance with §120-911N(5) of the Land Use Ordinance, the homeowners' association documents shall be approved as to form by the Town Attorney and recorded in the Cumberland County Registry of Deeds within 90 days of the date that the subdivision plan is recorded in the Cumberland County Registry of Deeds. Evidence of such recording shall be provided to the Planning Department. No lots shall be sold in the subdivision prior to recording of such homeowners' association documents and all deeds shall reference the declaration establishing the homeowners' association.*

4. *The development is subject to the following Article 12 Impact Fees, to be paid with the issuance of new building permits for the uses: Recreation Impact Fee, Open Space Impact Fee, Public Safety Impact Fee; and Municipal Office Impact Fee. All fees will be determined and collected for any building, or any other permit for the development, §120-1201C.*

5. *Before issuing building permits the applicant or builder must have the town engineer verify that the 50-foot conservation subdivision exterior boundary buffer line is pinned, staked, or fenced in the field.*

*Seconded by Kathleen Brown.*

*Vote: All in favor.*

## **New Business**

7. [PB 26-015](#) #24-15 Pettingill Pines Senior Affordable Housing - Major Site Plan - 18 Anglers Road - Developers Collaborative  
Developers Collaborative is requesting the Planning Board review and approve a 1-year extension for the development of a 2.5-story, 48-unit building with associated parking, utilities, stormwater management infrastructure, and landscaping improvements. The Planning Board approved the major site plan on May 13, 2024. The subject property is Tax Map: 80; Lot: 58A; Zone: Farm (F) and Retirement Community Care Facility Overlay (RCCFO) in the Chaffin Pond watershed.

**Attachments:** [24-15 PettingillPines\\_PB\\_MEMO\\_MJR\\_SP\\_EXT\\_040926.pdf](#)  
[24-15\\_MJR\\_SP\\_EXT\\_PettingillPines\\_031326.pdf](#)  
[24-15\\_MJR\\_SP\\_PLANS\\_APPROVED\\_PettingillPines\\_031326.pdf](#)  
[24-15\\_MJR\\_SP\\_APPR\\_LTTR\\_SeniorAffordableHousing\\_052024.pdf](#)  
[24-15\\_MNR\\_CHNG\\_SP\\_APPR\\_PKG\\_PettingillPines\\_030625.pdf](#)  
[24-15\\_PublicComment\\_Thiem\\_041026.pdf](#)

*Written public comment had been received from Mr. Thiem, an abutter to the project.*

*Kevin Bunker, from Developer's Collaborative, was present representing the application. He explained affordable housing projects that received Federal tax credits were required by law to use only building materials purchased in America. The problem was that some necessary materials were not available in America. They were waiting to be granted a waiver from the law in order to begin construction.*

*Amanda Lessard reviewed:*

- The original approval was valid until May 13, 2026.
- The Board was able to grant two, one-year extensions.
- The DHS engineered wastewater system permit and the DEP stormwater permit were still valid.
- There were no changes to the approval as it had been granted in 2024. Some conditions of approval had already been addressed.
- The access drive was off of the public portion of Anglers Road and built to a standard found acceptable by the ordinance and the Fire Department.
- Geotechnical analysis wasn't part of the Planning Board review.

*Board Comment*

- Had anything changed in the ordinance?
- The Board shouldn't relitigate the application, given that it hadn't changed from its original approval. It was acceptable to restate some issues raised by the letter of public comment regarding design.

*Mike Tadema-Wielandt, an engineer with Terradyn Consultants, addressed those issues:*

- Wastewater would have advanced treatment. The water from the system would be clean. It went back into the ground and helped to recharge the aquifer.
- Stormwater was largely shuttled off-site through a connection in the road to a series of best management practices on site and piped in the public storm drain system to Route 302.
- Water supply would be provided by public water and not use any water from the aquifer.

*Evert Krikken made a motion to approve the first one (1)-year approval extension, in accordance with §120-814A, for the #24-15 Pettingill Pines Senior Affordable Housing - Major Site Plan with the Findings of Fact, Conclusions, and Conditions of Approval from May 13, 2024 valid until May 13, 2027.*

*Seconded by Kathleen Brown.*

*Vote: All in favor.*

**8. [PB 26-014](#) #26-02 Frost Lane Subdivision - Major Subdivision - Sketch Plan Review - Frost Lane - Frost Lane, LLC**

The application is to develop a 5-lot conservation subdivision on 46.29 acres accessed via a 1,300 foot reconstructed and extended Frost Lane. Lots will be 0.46 to 0.86 acres, with the remaining 42.31 acres as open space. Lots will be served by public water, private subsurface wastewater disposal systems, and underground utilities. Subject property is identified as Tax Map: 13; Lot: 51; Zone: Farm Residential (FR) and Limited Residential (LR) in the Highland Lake watershed.

**Attachments:** [26-02 FrostLaneSub PB MEMO MJR SUB SKP 040926.pdf](#)  
[26-02 FrostLaneSub RevisedWaiverRequest 04072026.pdf](#)  
[26-02 MJR SUB SKP APPL Frost Lane Sub 03162026.pdf](#)  
[26-02 MJR SUB SKP PLANS Frost Lane Sub 03162026.pdf](#)  
[PUBLIC\\_COMMENT Strumph 040626.pdf](#)

*Craig Sweet, an engineer with Terradyn Consultants, was present representing the application. He explained:*

- They proposed to extend Frost Lane 1,300 feet and to construct a five-lot residential subdivision on the 46-acre lot.
- 36 acres of the lot was wetlands, which represented the primary conservation area.
- The extended road would be built to a minor private road standard, 18 feet wide and curbed.
- Stormwater would be treated with underdrain soil filters.
- 2 stream crossings were proposed, 1 for Frost Lane and the other for a trail to the upland edge of wetlands and Highland Lake.
- They requested two waivers:
  - o To have one hammerhead at 1,300 feet instead of two at 1,000 and 1,300 feet.
  - o An existing home on Frost Lane currently had above ground power. Power for new houses was proposed underground.
- Portland Water District would supply public water.
- Each lot would have an individual septic system.

Amanda Lessard provided an overview of issues for the Board's consideration:

- This was a different application/applicant than had been before the Board in 2021.
- The property contained a vast amount of wetlands; floodplain area; streams; and steep slopes.
- The subdivision ordinance required building envelopes to be generally 100 feet from primary conservation areas.
- A 50 foot perimeter buffer around lots 1, and 5 was part of the open space. That boundary must be marked prior to construction.
- More information was required regarding the proposed boardwalk trail. It would cross wetlands; floodplains; and provide access to Highland Lake. Additional permitting would be required.
- Highland Lake was waterbody most at risk and would require additional standards of review.
- The site was in the urbanized area, so additional post construction reporting was required.

#### Board Comment

- How far into the property did the path continue?
- Was the Boardwalk built to avoid the wetlands?
- More information was needed regarding setbacks.
- Was there potential for further road extension? How would that affect the waiver if it was granted?
- Would there be fewer wetland impacts if power was above ground?
- Marge Govoni disclosed that she lived on Highland Lake. The application would have no impact to her.
- Where was the house driveway located?
- Would they need a permit to build the boardwalk? Why change it if it was an existing path? Boardwalks required a lot of maintenance.
- The locations of everything should be delineated for the site walk.
- Was the boardwalk to be deeded access to the lake, or just a walking trail?
- Was the owner of the house that had the easement aware of the plan?
- Written public comment had been received.
- Would the waterline be located in the right-of-way?
- The Board would support minimizing the impact of utilities.
- One hammerhead would be better than two, in terms of impact.

Amanda elaborated:

- The subdivision ordinance required a trail to be built in the open space. The majority of the open space was wetlands. To what extent did the Board want to see a trail in the

open space?

- What was the easement? Was it built? Did they plan on building more?
- She thought the public was concerned regarding:
  - o Access and impact to the lake
  - o What kind of access would the homeowners have to the lake?
  - o There was potential for many impacts. What were the trade-offs?
  - o The cumulative wetland impacts would all add up.

**Other Business**

**9. [PB 26-016](#) Election of Chair and Vice Chair.**

Review of the Planning Board Rules.

**Attachments:** [Rules of the Planning Board 03-10-2025.docx](#)

*Evert Krikken nominated Marge Govoni as Chair.*

*Seconded by Melissa Young.*

*Vote: 4 in favor. Marge Govoni abstained. No one opposed.*

*Rick Yost nominated Evert Krikken as Vice Chair.*

*Seconded by Kathleen Brown.*

*Vote: 4 in favor. Evert Krikken abstained. No one opposed.*

*Rules of the Planning Board*

*Board Comment*

- *Should the required list of markings for site walks be more defined? Another bullet point stating, "Other areas requested by the Board" would suffice.*
- *Was there an alternative way to capture Planning Board discussion during the meetings?*

**10. Adjournment**

*Evert Krikken made a motion to adjourn.*

*Seconded by Melissa Young .*

*Vote: All in favor*